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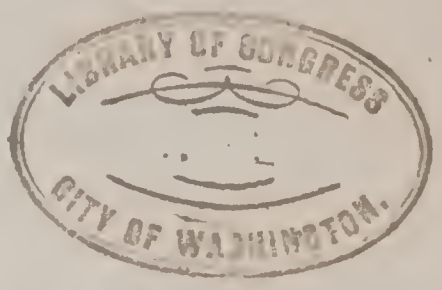
MINORITY REPORT

AND

MOTION TO ADJOURN "SINE DIE."



SPEECH

OF

ISIDOR BUSH,

OF SAINT LOUIS,

DELIVERED IN THE MISSOURI STATE CONVENTION, JUNE 29, 1863,

Mr. President: I have listened for days to the gentlemen speaking on the subject of Emancipation, and I now bespeak their attention for a few minutes.

The one said "slavery" and the other "anti-slavery" is the cause of this war. I say it is part of that everlasting war between Ormuzd and Ariman, between light and darkness, between right and wrong—it is that irrepressible conflict between free labor and slave labor. The South wanted to put down Abolitionism with fire and sword, establishing and extending a great empire of slave aristocracy; the North will now, and must in self-defense, put down slavery. It matters not whether the President of the United States, much less whether you or I, have any such desire and intention or not; it is the inevitable logic, the necessary consequence of events, stronger than the will of the President, the decrees of courts or the acts of Congress.

The people of this State have to take a stand on one side or the other. To place ourselves on the middle ground between the contending parties, is to be destroyed by both fires. When they decided to stay in the Union, to fight with the North in this struggle to maintain our national existence, this question was virtually decided. You had only to draft the deed and to acknowledge it. You ought to have declared simply that we will *cheerfully* sacrifice the institution of slavery, whose value has *already been destroyed by this rebellion*, to our country, and the people would execute the deed, thus showing to the South as well as the North, on which side Missouri will forever stand.

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The great majority of the people are in favor of Emancipation. Most of those even who were opposed to it a short time ago, acknowledge that we cannot avoid it, even if we would; that Emancipation is an unavoidable necessity of this war. I might almost say in the Lincolnian style, that "as we cannot remove anti-slavery we must remove slavery." *Still you hesitate.*

Much has been said about the right and power of this Convention to pass an Ordinance of Emancipation, and whether it should be submitted to the people for its ratification or rejection. Many of you, and among these some learned jurists and judges, have argued that we have that right, and that even without the saction of the people it would have full force. They urge, indeed, that we should not submit it to them.

While I have no pretensions to such learning, I am but expressing the unmistaken and unmistakeable voice of the people, in saying that if you should refuse to submit your action on this subject to the popular vote, you would exercise a doubtful, an unjust, and a very improper authority; the more so, as you assume to exercise it twenty-eight months after you were elected; elected on no such issue, and after you have once declared to the people and to Congress that you do *not* feel authorized to act *at all* on this subject; after a new Legislature has come duly into existence, fresh from the people! With the same propriety you could perpetuate yourself, and if a majority of this body were in opposition to a majority of the Legislature, might nullify every act passed by that Legislature. And yet gentlemen under take to say "we must take the responsibility." And why? To avoid agitation.

Now, gentlemen, the "let alone" policy—to use a common but expressive phrase—the let alone policy is played out. The very call of this Convention, for purposes which one year ago you decided to "let alone" by an overwhelming majority, is but one of the many proofs of the fallacy of your system. An early decision by the people at the ballot box is the only way to close agitation, is the only means to give any action of yours force and stability.

But while many of you boldly assume that we have the unlimited right and power to pass an Ordinance of Emancipation, and care little about the consent of the sovereign people, some of you have yet one serious objection, namely: that Emancipation without compensation to loyal owners is unjust; some call it robbery.

This objection is not without weight with me. I would favor any reasonable and practicable plan of compensation, and am opposed only to such plans as would have no practical results, except to defeat any Emancipation Ordinance. Members of the committee, and some other gentlemen here, are aware that I suggested myself a plan of compensation: That the various railroad companies should issue stock to the amount of aid received from the State (over $20.000,000) which stock might be used for the purpose of such compensation without increasing the State debt, thus giving to the slave owners an interest in the one great institution, (railroads) in exchange for the other (slavery,) an exchange by which in my opinion, all parties would gain.

I soon found out, however, that all slave owners scorn such a compensation.

On the other hand, I find, from the admission of loyal slaveholders themselves, that the value of slaves has been destroyed by the rebels; and while they are chargeable with the loss, it is not for the loyal poeple (who did nothing to damage it) to compensate the owners for the same.

If another throws down this tumbler,* breaking it to pieces, and I remove the worthless, injurious fragments, am I to pay you the damage?

Moreover, it has not been proposed by any one that the slaveowner should lose the right to the labor of his servant for some years. I voted, all the friends of speedy Emancipation voted, for long terms of continued servitude, depriving you only of the right to sell a human being; a right which you never had under the Constitution of the United States, as you contend; but whether you have it or not, which you cannot exercise, as there is no market, and God grant never will be for this traffic any more.

It is further a fact established by proof and experience, which cannot be denied, that the wealth and general prosperity of the State would be so much increased that it is not only proper that the interest of the individual should give way to the interest of the whole, but that it must also benefit the former slaveowner. He, the slaveowner, is at the same time, almost without exception, also a landowner and it is admitted that the *plus value* of lands cultivated by free labor, exceeds the capital represented by slaves. The gentleman from Pike, himself calculated that the difference in the increased value of personal property and real estate in Missouri, at the ratio of the last ten years, here and in Illinois, would amount during ten years to come to $2,000,000,000; and singularly enough, he is still in favor of keeping Missouri ten years longer a slave State.

Now, sir, as the abolishment of slavery in Missouri cannot be avoided, as you believe you have the right and power to do it, and as it would be to the great advantage of Missouri, in general, while it would prove but a small loss to the slaveholder; the question seems to be now only whether slavery shall cease in 1876 or in 1866.

But even this is by no means in reality a question. Does any gentleman on this floor really believe that in the present state of our national affairs, slavery can exist until 1876 or even 1870?

The gentleman from Livingston, (Mr Woolfolk,) pro-slavery man as he is, has well and honestly stated that every plan of emancipation in 1870, (or any such prospective period,) will only invite and offer a premium to the negroes to run away from their owners.

You will admit, Mr. President, that slavery is rapidly disappearing, and no one will deny, I think, that it is now in fact, though not in law, a mere voluntary servitude. Such is the present. Now look to the future; look to history as it will be transmitted to your children and children's children.

On the one hand, the humiliation that we would not consent to free ourselves from the institution of slavery, until the slave freed himself; that worthless as the institution has become, we would not sacrifice the peculiar institution to the maintenance of our Union, to the peace and safety of the State.

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* Referring to the glass of water before the Speaker.

On the other hand, the proud and glorious record, that this was the first State that, by the free and voluntary action of its own people, and without compensation, nobly sacrificed and blotted out this peculiar institution.

Which are you inclined to choose?

The majority report of your Select Committee on Emancipation shows it; your vote on the amendment for 1864, and then on the amendment for 1866 shows it; your vote on the amendment for 1868 shows it; for even if I and twelve others, true friends of Emancipation, the Radicals as you call them, had voted for it, it would still have failed. But above all your vote on submitting your ordinance to the people in November, 1863, shows it. I think it is enough. You voted them all down; let us go home! Do not deceive yourselves, and do not believe you can settle this matter for the people. They do not want us.

Mr. President, I desire to notice but one point more, before I close. Some of the gentlemen, members of this Convention, have drawn so horrible a picture of the evils resulting from emancipating the negroes and leaving them afterwards free among us, that they (and their misguided hearers) inevitably come to the conclusion that emancipation without deportation would ruin the State. They tell us that the negroes would be but one great band of idlers and vagabonds, robbers, murderers, and thieves.

If this be true, I ask these gentlemen, "Are these the boasted blessings of christianity which you, the advocates of slavery, have ever and always claimed to have given to those poor Africans in return for their freedom?"

But it is *not* true, and you cannot help knowing it to be false. Look to Delaware! I do not ask you to go for information to Jamaica or the other West India Islands; look to Delaware, I say. The census of 1860, now before you on your tables, will show you that 19,829 free negroes live in that little State of our Union—a State not larger than three of our counties; and you pretend to say that Missouri, thirty-two times as large as Delaware, would be ruined by a comparatively small number of her negro population, if free! New Jersey has 25,318 free negroes, on an area only one eighth that of Missouri; and where is the murder, the rapine and other crimes committed by that class? Three cases of murder and two of homicide are all that occurred in New Jersey in 1860, against twenty-one cases of murder and twenty-six of homicide during the same period in Missouri.

I have no words for such slanders against poor human beings—so much sinned against. It is not enough that you hold them in bondage—toys of your whim and your lust—you charge them with crimes they never committed and never dreamt of.

I pray you, have pity for yourselves, *not* for the negro. Slavery demoralizes; slavery fanaticism blinds you; it has arrayed brother against brother, son against father; it has destroyed God's noblest work—a free and happy people.

I am done, Mr. President, and I now renew the motion of the gentlemen from Buchanan:

Resolved, That this Convention now adjourn *sine die*.

MINORITY REPORT AND ORDINANCE.

[Laid on the table, 100 copies ordered to be printed, and made the special order for to-morrow morning, 9 o'clock, June 23, 1863.]

SAM'L. A. LOWE, Secretary.

MINORITY REPORT.

MR. PRESIDENT: The undersigned feels it to be due to this honorable body, to himself, and above all to the true Emancipationists whom he desires to represent, that he should explain the reasons which have made it impossible for him to agree with the Majority Report of the Committee.

He has earnestly desired to unite with *all Emancipationits*, to yield his preferences, to sacrifice his favorite plans and ideas, and to submit, to a great extent, to the views of other members of the Committee, in what they would regard as a better policy; but it is most difficult to compromise *principles*. And it is on principles, also, that the majority of the committee unfortunately differ with him.

The undersigned will state only the principal points of difference.

1st. The position of our national affairs, the preservation of the Union, the prosperity of this State, its' future peace and security, and the interest of the slave-owner, as well as humanity to the slaves, imperatively demand *speedy* emancipation, followed by apprenticeship for a limited period. It is this system which alone could temporarily secure to the present slave-owner that labor, to secure which, all laws against fugitives from labor are now inefficient, and which, at the same time, would gradually prepare the slave for full freedom. But as this point may be regarded by some, as one of policy, and not of principle, it might be yielded; provided the time adopted for the continuance of slavery were short, and the conditions attached thereto not in conflict with the principles of humanity.

2d. The Committee, however, have agreed not only on a time which the undersigned considers far too remote, but they have refused to attach to this long extension of the present system, the humane principle of prohibiting the sale of slaves and their children out of this State; thus continuing to consider slaves as herds of animals, rather than as human beings.

To this the undersigned, for one, could not subscribe.

3d. The Ordinance reported by the Committee does not provide for submitting it first to the vote of the people. This is another essential point of difference. Unlimited as the powers of this Convention are,—an Ordinance of Emancipation, passed by this Convention would have no vitality, or at least, no sufficient guaranty for the future, without a ratification by the people; especially, in view of the fact, that the majority of this Convention did, on the 14th day of June, 1862, adopt the resolution declaring that they have not felt authorized to take action with respect to the grave and delicate questions of private right and public policy, presented by the joint resolution of Congress, respecting the gradual abolishment of slavery.

Having thus briefly stated the reasons from which he has been unable to agree to the report presented by the Committee, the undersigned desires to present, for the consideration of the Convention, an Ordinance which, while it entrusts to future legislation the passing of such laws as the change of system will require, is to go into effect immediately after the people have given it full force by their vote, and which he believes would receive the sanction of a great majority of the loyal people of Missouri, would cement the Union, and would result in great and material advantages to our state.

ISIDOR BUSH.

AN ORDINANCE

To Provide for Certain Amendments to the Constitution and for the Emancipation of Slaves.

Be it ordained by the People of the State of Missouri in Convention assembled, as follows:

SECTION 1. The first and second clauses of the twenty-sixth section of the third article of the Constitution are hereby abrogated.

SEC. 2. From and after the first day of January, 1864, slavery and involuntary servitude, except for crime, or as *hereinafter provided*, are abolished, and all persons who on that day may be held in bondage in this State, as slaves for life, are hereby declared forever free; *provided however*, that they and their issue thereafter born, shall thereupon be and become indentured apprentices to their former owners, their assigns or representatives, and as such held to service and labor, from that date until the fourth day of July, 1870, and no longer.

SEC. 3. It shall be the duty of the Legislature to pass laws, regulating the relations between said apprentices and their masters and mistresses respectively; to secure the services of said apprentices to their respective masters, and humane treatment to the apprentices; To provide, as far as necessary, for the education, apprenticing and support of those who shall become free under the operations of this Ordinance, and against the importation of any negro or mulatto.

SEC. 4. No future assessment of slave property shall be made in this State, and taxes now assessed against said property shall not be collected, nor shall the right to the services of apprentices under this Ordinance be subject to taxation.

SEC. 5. That at the election to be held on the first Monday of August, 1863, the several clerks of the County Courts, or, in case said clerks shall fail to do so, then the clerks of the election, shall, in preparing the poll-books for the election, enter thereon two columns, one headed "*for Emancipation*" and the other "*against Emancipation*;" said election to be held by ballot and to conform in all respects with the laws and ordinances now in force regulating elections. And if a majority of the legal votes or ballots given be "for Emancipation," then this Ordinance shall take effect and be in full force; and if a majority of the legal votes or ballots given, be "against Emancipation," then this Ordinance shall be null, void and of no effect. And when the result of said election shall be ascertained, the Governor of the State shall, by proclamation, announce the same.

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